



South Florida Public Television

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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FEDERAL EXPRESS

December 15, 1997

Studios at:
14901 N.E. 20 Avenue
(Sesame Street)
Miami, FL

Mr. Richard M. Smith
Chief, Office of Engineering and Technology
Federal Communications Commission
1919 M Street, N.W., Room 480
Washington, D.C. 20554

Re: Permissible *Ex Parte* Filing in
MM Docket No. 87-268

Community
Television
Foundation of
South Florida, Inc.

Dear Mr. Smith,

This is in response to the November 20, 1997 *ex parte* filing in MM Docket No. 87-268 by the Association for Maximum Service Television, Inc. and others (MSTV), as well as your Public Notice of December 2, 1997. As shown by the attached engineering statement, MSTV's proposal that the DTV assignment for Station WPBT(TV), Miami, be changed from DTV Channel 19 to DTV Channel 57, is based upon a simple mistake of fact. Whatever action the Commission may take in response to the MSTV and other filings, there is no basis for this (or, so far as we are aware, any other) change in the DTV channel assignment for WPBT(TV).

Two copies of this response are being simultaneously submitted to the Commission's Secretary.

Respectfully,

Graham Simmons
Vice President of Engineering

cc: Victor Tawil, MSTV, w/enclosure

CH1

ENGINEERING STATEMENT
ON BEHALF OF
**COMMUNITY TELEVISION FOUNDATION
OF SOUTH FLORIDA, INC.**
WPBT(TV), MIAMI, FLORIDA
RE RESPONSE TO EX PARTE FILING BY
MSTV IN MM DOCKET NO. 87-268
DECEMBER 1997

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

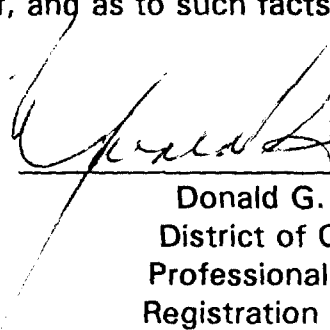

Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

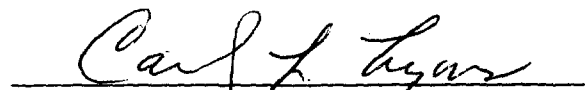
That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.


Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714


Subscribed and sworn to before me this 15th day of December, 1997.




Notary Public

My Commission Expires: 2/28/98

This engineering statement has been prepared on behalf of Community Television Foundation of South Florida, Inc., licensee of non-commercial educational Television Station WPBT(TV), NTSC Channel 2, Miami, Florida, concerning the ex parte submission¹ filed by the Association for Maximum Service Television, Inc. ("MSTV").

WPBT(TV) has reviewed the MSTV filing and recommends that the Commission not adopt the MSTV ex parte filing("MSTV Filing"), as it relates to WPBT(TV). As the attached information demonstrates, the MSTV filing does not recognize some very important technical information relating to WDZL(TV) NTSC Channel 39 licensed to Miami, Florida. The Commission in the Sixth Report and Order in MM Docket 87-268 ("Sixth Report") assigned WPBT(TV) DTV Channel 19. In the Sixth Report, the Commission assigned WDZL(TV) DTV Channel 20. In the MSTV filing, it suggests that WPBT(TV) DTV Channel be changed to Channel 57.

The reason is to eliminate a perceived DTV Channel 19 to DTV Channel 20 relationship which would be outside the DTV to DTV criteria contained in the MSTV filing. However, this step is not necessary as WDZL(TV) has been authorized to operate from a new site (BPCT-960503AF). According to WPBT(TV)'s technical staff, WDZL(TV) is now operating from this new site. This site is 1.5 km from the existing

¹"Ex Parte Submission Based on New Technical Discoveries to Help the Commission Improve the DTV Table of Allotments/Assignments", submitted by the Association of Maximum Service Television, Inc. and other broadcasters, November 20, 1997.

WPBT(TV) NTSC and planned DTV site. This small separation by adjacent DTV operations fits within all current FCC and MSTV spacing criteria² and fits the general accepted principle of collocation. Table 1 provides the current allocation assessment based upon the latest technical siting information.

²The WPBT(TV) technical staff has been in contact with the MSTV technical staff and the MSTV technical staff agrees with the assessment that a change of DTV channel from 19 to 57 is unwarranted.

TABLE I
ALLOCATION STUDY
FCC ASSIGNMENTS
WPBT(TV), DTV CH. 19, MIAMI, FLORIDA
DECEMBER 1997

<u>Call</u>	<u>City/State</u>	<u>Channel</u>	<u>Offset</u>	<u>Actual Separation km</u>	<u>Required Separation¹ km</u>
WPBT(TV)	Miami, FL	DTV 19	—	—	--
WDZL(TV) License Site	Miami, FL	DTV 20	N+1	2.9	<32.2
WDZL(TV) ² CP Site	Miami, FL	DTV 20	N+1	1.5	<32.2
WLRN-TV	Miami, FL	DTV 18	N-1	0.0	<32.2
Application ³	Bradenton, FL	NTSC 19	N+0	278	>44.6
WLRN-TV	Miami, FL	NTSC 17	N-2	0	<24.1
WEYS(TV)	Key West, FL	NTSC 22	N+3	98.6	>96.6
WLTW(TV)	Miami, FL	NTSC 23	N+4	1.5	<24.1

¹Defined in VII B of the Sixth Report and Order, MM Docket No. 87-268

²WDZL(TV), according to the WPBT(TV) technical staff, is currently operating NTSC Channel 39 from this site designated in its construction permit BPCT-960503AF.

³Florida West Coast Public Broadcasting freeze waiver request BPED-960724KT